

## REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 11, 16, 21 and 24 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-16, 19 and 21-26 remain pending in this application.

### **Rejections under 35 U.S.C. § 102**

Claims 1-8, 10-11, 14, 16, 19, 21, 23-24 and 26 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent Number 5,930,706 to Raith (hereinafter “Raith”). Applicant respectfully traverses this rejection for at least the following reasons.

As previously noted by Applicant, embodiments of the present invention relate to methods and systems for providing a broadcast or multicast service to a terminal device in a data network such that a connection state of the terminal device is switched to a dedicated channel state in response to a broadcast service notification. In accordance with certain embodiments of the present invention, when a service context is created by the network, a broadcast service notification is transmitted for reception by terminal devices located in the coverage area. Upon receipt of the configuration parameters for a broadcast or multicast service from a related control channel, not the BCCH, a terminal device may switch its connection state to a dedicated channel state in which a physical channel is allocated to the terminal device. Thereby, point-to-point connections can be used for data transmission of broadcast or multicast services without requiring any additional responses from the concerned terminal devices.

Independent claims 1, 11, 16, 21 and 24 have been amended to more clearly recite this feature. For example, independent claim 1 now recites “initializing receipt of configuration parameters for said broadcast or multicast service from a related control channel, in response to said receiving of said broadcast service notification; and switching a connection state of said terminal device to a dedicated channel state in which a dedicated physical channel is allocated to said terminal device.” Support for this feature may be found in the originally filed specification and drawings at, for example, Figure 2 and paragraph [0043].

By contrast, Raith discloses an efficient sleep mode operation of a mobile terminal which allows the mobile station to stay in sleep mode when there is no change in the structure parameters of a cell specific digital control channel (DCCH). A separate point-to-multipoint channel (BCCH) is used for broadcasting structure parameters to decouple the requirement of a mobile station. The BCCH periodically reads the overhead information for efficient sleep mode operation from the requirement of the system which, in turn, periodically reads the BCCH transmission for fast acquisition at the cell station. The mobile station reads only changed BCCH information and can stay in sleep mode when there is no change in the BCCH information.

Further, in accordance with the disclosure of Raith, the BCCH channel is located within a DCCH superframe which includes at least three logical channels, BCCH, PCH and ARCH. See Raith, Figure 3. Accordingly, Raith cannot be interpreted to disclose that the BCCH and the PCH are in and of the same DCCH channel. In fact, the BCCH and PCH are separate broadcast channels, while the DCCH is a cell specific channel dedicated to the mobile station. See e.g., Raith, col. 5, lines 1-5. Accordingly, Raith fails to teach or suggest the above-noted feature of the pending claims.

The Examiner argues that the paging of the mobile station as disclosed in Raith is comparable to the receipt of a broadcast service notification recited in the pending claims. See Office Action dated January 29, 2009, page 2. Applicant respectfully disagrees with the Examiner’s interpretation of the disclosure of Raith as applied to the pending claims.

As described at Raith, col. 20, line 65, paging is used for carrying information sent to specific mobile stations by providing a mobile station identity in the paging message. Thus, as specified within Raith, the network needs to know the identity of the mobile station prior to paging it. By contrast, embodiments of the present invention provide a broadcast service notification to all terminals in the area.

Therefore, Raith fails to teach or suggest each feature of the pending claims and, accordingly, fails to anticipate the pending claims. Accordingly, independent claims 1, 11, 16, 19, 21 and 24 are patentable. Claims 2-8, 10, 14, 23 and 26 each depend, either directly or indirectly, from one of allowable claims 1, 11, 21 or 24 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

#### **Rejections under 35 U.S.C. § 103**

Claims 9, 12, 13, 15, 22 and 25 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Raith in view of U.S. Patent Publication No. 2002/0126636 to Chen. Applicant respectfully traverses this rejection for at least the following reasons.

Claim 9 depends from allowable claim 1; claims 12, 13 and 15 depend from allowable claim 11; claim 22 depends from allowable claim 21; and claim 25 depends from allowable claim 24. Therefore, claims 9, 12, 13, 15, 22 and 25 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

#### **Conclusion**

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected

or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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